

## **REMARKS**

Agent for Applicant submits previously presented claims 31-42, 44 and 47; for consideration by the Examiner. The present application has 16 claims in total.

### Claim Rejections – 35 U.S.C. § 102

Examiner rejected claims 30-35, 38-41 and 43-47 under 35 U.S.C. § 102(e) as being anticipated by Gruteser et al. (6,870,477).

More specifically, the Examiner was of the view that (see paragraph 3 of the subject Office Action):

the Gruteser device teaches a controller (240) that may include a PC having “a user interface including input devices and displays which may be used by the occupant of the chair to make manual adjustments to environmental parameters and which may also convey information to the occupant about the status or results of information carrying signals from or received by the chairs systems “(column 6, line 7-12).

Environmental parameters are listed on column 5 lines 50 – 55 as lighting, heating, ventilation, air conditioning, HVAC, temperature, humidity, air flow etc. There is no mention of outputting information concerning directions for the operation of the controller without producing movement of the parts, nor displaying information to an occupant of the chair regarding the operation of a plurality of controls for moving a plurality of parts respectively of the chair without producing movement of said parts

Thus Agent for Applicant respectfully submits that claims 30-35, 38-41 and 43-47 are not anticipated by Grosser.

### Claim Rejections – 35 O.K. § 103

#### *Claims 36-37*

The Examiner rejected claims 36-37 under 35 O.K. § 103(a) as being unpatentable over Gruteser in view of Sparks (6,204,767) as Gruteser disclosed all claimed elements except the provision of audio feedback from the control, which is taught by Sparks.

Agent for Applicant respectfully submits that in view of the above mentioned amendment to claim 35, upon which claims 36 and 37 are dependent, the claims as presented are patentable over Gruteser in view of Sparks. Sparks does not teach outputting information concerning directions for the operation of the controller without producing movement of the parts, nor displaying information to an occupant of the chair regarding the operation of a plurality of controls for moving a plurality of parts respectively of the chair without producing movement of said parts.

Therefore, Agent for Applicant respectfully submits that claims 36-37 are patentable over Gruteser in view of Sparks.

*Claim 42*

The Examiner also rejected claim 42 under 35 U.S.C. § 103(a) as being unpatentable over Gruteser in view of Burt (US 2002/0056709) as Gruteser disclosed all claimed elements except body-positioning means comprising a lumbar adjustment member controlled by a timer, which is taught by Burt.

Agent for Applicant respectfully submits that in view of the above mentioned amendment to claim 30, upon which claim 42 is dependent, the claims as presented are patentable over Gruteser in view of Burt. Burt does not teach outputting information concerning directions for the operation of the controller without producing movement of the parts, nor displaying information to an occupant of the chair regarding the operation of a plurality of controls for moving a plurality of parts respectively of the chair without producing movement of said parts.

Therefore, Agent for Applicant respectfully submits that claim 42 is patentable over Gruteser in view of Burt.

Agent for Applicant respectfully submits that the claims as amended are allowable.

**CONCLUSION**

Agent for Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.

Yours faithfully,



Agent for Applicant  
Eugene J. A. Gierczak  
(Registration NO. 31,690)  
**MILLER THOMSON LLP**  
Barristers & Solicitors  
Scotia Plaza  
40 King Street West, Suite 5800  
P.O. Box 1011  
Toronto, Ontario Canada M5H 3S1  
Telephone No. 416.596.2132  
Telecopier No. 416.595.8695  
EJAG/fa

cc: Terry Cassaday